

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

PROMESA
Title III
No. 17 BK 3283-LTS
(Jointly Administered)

**This filing relates to the
Commonwealth, HTA, and
ERS.**

FIRST ORDER GRANTING IN PART THE NINETIETH OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO DEFICIENT CLAIMS ASSERTING INTERESTS BASED UPON UNSPECIFIED PUERTO RICO STATUTES

*Upon the Ninetieth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests Based Upon Unspecified Puerto Rico Statutes (the “Ninetieth Omnibus Objection”),*²

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801)(Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Ninetieth Omnibus Objection.

filed by the Commonwealth of Puerto Rico (“Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), dated October 24, 2019, for entry of an order disallowing in their entirety certain claims filed against the Commonwealth, HTA, or ERS, as more fully set forth in the Ninetieth Omnibus Objection and supporting exhibits thereto, and upon the *Notice of (A) Adjournment as to Certain Claims and (B) Submission of Amended Schedule for the Ninetieth Omnibus Objection* (the “Notice of Adjournment”), filed by the Commonwealth, HTA, and ERS on December 6, 2019 [ECF No. 9475], and upon the *Second Notice of (A) Adjournment as to Certain Claims and (B) Submission of Amended Schedule for the Ninetieth Omnibus Objection* (the “Second Notice of Adjournment”) filed by the Commonwealth, HTA, and ERS on January 9, 2020 [ECF No. 9771], and upon the *Third Notice of (A) Adjournment as to Certain Claims and (B) Submission of Amended Schedules for the Ninetieth Omnibus Objection* (the “Third Notice of Adjournment”), filed by the Commonwealth, HTA, and ERS on January 24, 2020 [ECF No. 10392]; and upon the *Fourth Notice of (A) Withdrawal of Objections to Certain Claims and (B) Submission of Amended Schedules for the Ninetieth Omnibus Objection* (the “Fourth Notice of Adjournment”), filed by the Commonwealth, HTA, and ERS on February 10, 2020 [ECF No. 10803]; and upon the *Notice of (A) Further Adjournment as to Claims Listed in Schedule B, (B) Withdrawal of Objection to Certain Claims, and (C) Submission of Amended Schedules for the Ninetieth Omnibus Objection* (the “Notice of Adjournment and Withdrawal”) [ECF No. ____]; and the Court having jurisdiction to consider the Ninetieth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Ninetieth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and

each of the claims identified in Exhibit A hereto (collectively, the “Deficient Claims”) having been found to be deficient; and pursuant to the First, Second and Third Notices of Adjournment, each of the claims identified in Exhibit B hereto (collectively, the “Adjourned Claims”) having been adjourned; and the Court having determined that the relief sought in the Ninetieth Omnibus Objection is in the best interests of the Commonwealth, HTA, ERS, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Ninetieth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Ninetieth Omnibus Objection is GRANTED IN PART as set forth herein; and it is further

ORDERED that the Deficient Claims are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed to delete the Deficient Claims from the official claims registry in the Title III Cases; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge